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REMARKS

The Examiner has stated that claims 1-18 are pending. It is respectfully pointed out that claims 5-18 were canceled and new claims 19-23 were added by a Preliminary Amendment filed on December 20, 2001. Therefore, claims 1-4 and 19-23 are pending in this application. In light of the Preliminary Amendment, all claims are now drawn to nucleic acid molecules encoding for human 4-1BB protein and recombinant expression vectors comprising the same. Thus, as these compositions are patentably related, Applicant respectfully believes that the Restriction Requirement dated June 28, 2004 is not applicable to these claims. Applicant is respectfully requesting reconsideration of the restriction requirement and examination of claims 1-4 and 19-23 in the instant application.

Respectfully submitted,



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